



MINUTES
Regular Meeting
Reno City Council

Wednesday, November 20, 2013 • 12:00 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Robert A. Cashell, Sr., Mayor

Council Members:

Ward 1 – Jenny Brekhus

Ward 4 – Dwight Dortch

Ward 2 – Sharon Zadra

Ward 5 – Neoma Jardon

Ward 3 – Oscar Delgado

At-Large – Hillary Schieve

A Introductory Items

A.1 Pledge of Allegiance

A.2 Observance of a Moment of Silence

A.3 Roll Call

Attendee Name	Title	Status	Arrived
Robert Cashell	Mayor	Present	
Jenny Brekhus	Council Member	Present	
Sharon Zadra	Council Member	Present	
Oscar Delgado	Council Member	Absent	
Dwight Dortch	Council Member	Present	
Neoma Jardon	Council Member	Present	
Hillary Schieve	Council Member	Absent	
Andrew Clinger	City Manager	Absent	
Bill Thomas	Assistant City Manager	Present	

The meeting was called to order at 12:15 PM.

A.4 Public Comment

Brock Maylath, 1095 Waverly Drive, discussed the Transgender Allies Group's activities.

Marcus Moore, Reno resident, discussed street performers' issues and played a tune on his saxophone.

Debbie Strickland, 3550 Barron Way #9A, thanked Mayor Cashell for participating in the Nevada Children's Cancer fundraiser.

Ted Levatter, 420 Reno Avenue, discussed First Amendment rights issues.

David Tscheekar, 550 East Plumb Lane, discussed street artists' issues.

Jon Obester, 1039 Humboldt, discussed road work at the intersection of Moana Lane and South Virginia Street.

Maggie Telander, 255 North Sierra Street #2204, representing the Montage Homeowners Association (HOA), discussed excessive noise issuing from the nearby West Second Street bar.

Steven Loye, 1410 Webster Way, discussed his objections to the City's alarm code.

Mark Glenn, Reno resident, discussed his opposition to the Summit Sierra sales tax relief proposal.

Sam Dehne, Reno resident, discussed several issues.

A.5 City Manager Announcements (Item for general announcements and informational items only. No deliberation or action will be taken on this item.)

Bill Thomas, Assistant City Manager, discussed the November 23-24, 2013, Buy Local Marketplace; the November 26, 2013, tree lighting ceremony and opening of the Ice Rink; the publication of the Parks and Recreation brochure; and the recent graduation of 36 Northern Nevada law enforcement officers, six of which are Reno Police Department officers.

A.6 Approval of the Agenda (For Possible Action) - November 20, 2013.

The agenda was approved with item J.6 withdrawn.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

A.7 Approval of Minutes (For Possible Action) - November 6, 2013.

A.7.1 City Council - Regular - Nov 6, 2013 12:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

B Cash Disbursements

B.1 Staff Report (For Possible Action): Acceptance of Cash Disbursements Reports for October 20, 2013 through November 2, 2013. 12:50 PM

Recommendation: Staff recommends accept the attached Cash Disbursements reports.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Council Member
SECONDER:	Jenny Brekhus, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

C Proclamations

C.1 Proclamation declaring the month of November as National Diabetes Awareness Month - Maryann Zucker, President - Northern Nevada Juvenile Diabetes Research Foundation. 12:50 PM

Council Member Jardon proclaimed the month of November as National Diabetes Awareness Month.

D Presentations

D.1 Local Rate Plan - Jay Aldean, Director of the Truckee River Flood Management Authority. [2:30 p.m.] 2:43 PM

Jay Aldean, Director of the Truckee River Flood Management Authority (TRFMA), presented the report.

D.2 Economic Development Update - David Weaver, Vice President of Sales, U.S. Foods. 12:56 PM

David Weaver, Vice President of Sales for U.S. Foods, presented the report.

E Consent Agenda

Eddie Lorton, 100 North Arlington Avenue #16D, presented his views on Items E.4 and E.5.

Items E.1 through E.12 were approved with items E.3, E.11 and E.12 pulled for discussion.

E.1 Approval of Privileged Business Licenses

E.1.a New - Alcohol

1. Got Pho?, Nam Dang Yun, 13967 South Virginia Street, Suite 910 - Dining Room Wine and Beer (For Possible Action) **[Ward 2]**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

E.1.b Supplemental - Alcohol

1. Beaujolais Bistro, William Edward Gilbert, 753 Riverside Drive - Dining Room Alcohol (For Possible Action) **[Ward 1]**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.2 Staff Report (For Possible Action): Acceptance of the Joining Forces 2014 Office of Traffic Safety Grant to support participation in statewide, multi-jurisdictional traffic enforcement events in the amount of \$109,250. 1:34 PM

Recommendation: Staff recommends Council accept the grant award.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.3 Staff Report (For Possible Action): Case No. BLA14-00006 (Reno Masonic Temple) Approval of a Quit Claim Deed and Boundary Line Adjustment at 40 West 1st Street (APN 011-601-01) between the Reno Masonic Temple Association and the City of Reno. The parcel is located on the southwest corner of North Virginia Street and West First Street. **[Ward 5]** 1:36 PM

Staff recommendation: Staff recommends Council approve the Quit Claim Deed and Boundary Line Adjustment between the Reno Masonic Temple Association and the City of Reno, and authorization for the Mayor to sign.

Proposed motion: I move to approve the staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

MAYOR CASHELL ABSENT AT 1:38 P.M. VICE MAYOR ZADRA PRESIDED IN MAYOR CASHELL'S ABSENCE.

Council Member Brekhus and Charla Honey, Public Works Engineering Manager, discussed details of the proposed boundary line adjustment.

Council Member Brekhus said she was not entirely sure that the resolution (a quit claim deed) matched up to the exhibits.

The Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Jenny Brekhus, Sharon Zadra, Dwight Dortch, Neoma Jardon
ABSENT:	Robert Cashell, Oscar Delgado, Hillary Schieve

- E.4 Staff Report (For Possible Action): Approval of a contract for auctioneering services, as proposed in Request for Proposal (RFP) No. 030095 and No. 030100, with Bar None Auctions, for the sale of surplus property and vehicles for a two year period, with an option to renew for an additional two years, in an estimated contract amount of \$100,000 per year. 1:34 PM

Recommendation: Staff recommends Council approval of the contract with Bar None Auctions for auctioneering services in an estimated amount of \$100,000 per year and the approval for the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.5 Staff Report (For Possible Action): Approval of Bid Award No. 030101 for fire hydrant repair services to West Coast Paving Inc. in an annual amount not to exceed \$50,000 (General Fund). 1:34 PM

Recommendation: Staff recommends the award of Bid Number 030101 for fire hydrant repair services to West Coast Paving, Inc. in an annual amount not to exceed \$50,000.

Proposed Motion: I move to approve the staff recommendation and authorize the Fire Chief to execute the above described Purchase Order.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.6 Staff Report (For Possible Action): Approval of a Grant of Airspace Easement to Scodaro LLC for an encroachment into a portion of City-owned airspace above property known as South Virginia Street, located near 2330 South Virginia Street. 1:34 PM

Recommendation: Staff recommends approval of the grant of airspace easement and authorization for the Mayor to sign the easement.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.7 Staff Report (For Possible Action): Approval of a Grant of Easement to NV Energy for electrical facilities for the North Virginia Interceptor Improvements – Phase II sanitary sewer project, located near the intersection of Laurel Street and Valley Road. 1:34 PM

Recommendation: Staff recommends Council approve the grant of easement to NV Energy and authorize for the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.8 Staff Report (For Possible Action): Approval of three Grants of Easements to NV Energy for electric transmission, distribution and communication purposes over City-owned property located on 4th Street along the Reno Transportation Rail Access Corridor (ReTRAC). 1:34 PM

Recommendation: Staff recommends approval of the grant of easements and authorization for the Mayor to sign the easements.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.9 Staff Report (For Possible Action): Approval of Consultant Agreement between Black and Veatch and the Cities of Reno and Sparks for Phase I of the Truckee Meadows Water Reclamation Facility (TMWRF) Aeration System Evaluation and Improvement Project in the amount of \$107,500 with Reno's share being \$73,777.25 (Sewer Enterprise Fund). 1:34 PM

Recommendation: Staff recommends Council approve an agreement with Black & Veatch for Phase 1 work pertaining to the Truckee Meadows Water Reclamation Facility's Aeration System Evaluation and Improvement Project in the amount of \$107,500 and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- E.10 Staff Report (For Possible Action): Approval of First Amendment to Interlocal Agreement with the Western Regional Water Commission for the Commission to provide water management funds for the maintenance of the Truckee River Information Gateway (TRIG) website in an amount not to exceed \$7,500. 1:34 PM

Recommendation: Staff recommends Council approve the First Amendment to Interlocal with the Western Regional Water Commission for maintenance of the Truckee River Info Gateway in an amount not to exceed \$7,500 per year, and authorization for the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

E.11 Staff Report (For Possible Action): Approval of Consultant Agreement with Nichols Consulting Engineers (NCE) for Engineering Services for the 2014 Street Rehabilitation Program in an amount not to exceed \$219,379 (Street Fund). 1:41 PM

Recommendation: Staff recommends Council approve the consultant agreement with NCE for Engineering Services for the 2014 Street Rehabilitation Program, for an amount not to exceed \$219,379 and authorization for the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

MAYOR CASHELL PRESENT AT 1:42 P.M.

Council Member Brekhus and Charla Honey, Public Works Engineering Manager, discussed the proposed use of the City's Street Fund in anticipation of the federal reimbursement, and other details of the agreement.

The Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

E.12 Staff Report (For Possible Action): Approval of Change Order to Tico Construction for a change in flooring materials for Phase 3 in the National Bowling Stadium in an amount not to exceed \$48,037 (\$2 Room Tax Surcharge). 1:45 PM

Recommendation: Staff recommends Council approval of the Change Order to Tico Construction in an amount not to exceed \$48,037.00 for a change in flooring materials for Phase 3, Squad Room remodel in the NBS and authorize the Mayor to sign.

Proposed Motion: I move to approve staff recommendation.

THIS ITEM WAS PULLED FOR DISCUSSION.

Council Member Brekhus; Allen Tryon, Project Manager; and Robert Chisel, Finance Director, discussed maintenance and operations of the Museum in the National Bowling Stadium, and other issues related to the exhibit and proposed change order.

The Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Jenny Brekhus, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

F Public Hearings - 12:15 PM

F.1 Lease to Purchase - 450 Sinclair Street

F.1.1 Staff Report (For Possible Action): Discussion and potential direction to staff regarding Lease to Purchase, at the current appraised value, the City of Reno's interest in certain real property located at 450 Sinclair Street, Reno, Nevada, to the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Reno. 1:49 PM

Recommendation: Staff recommends Council adoption of Resolution No._____, approving the Lease to Purchase, at the current appraised value, the City of Reno's interest in certain real property located at 450 Sinclair Street, Reno, Nevada to the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Reno, and authorization for the Mayor to execute all documents pertaining to the transfer of the property.

Proposed Motion: I move to approve staff recommendation.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and no correspondence was received.

Mayor Cashell opened the public hearing and asked if anyone wished to speak. No one spoke, and the Mayor closed the public comment portion of the hearing.

The Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

F.1.2 **Resolution No. 7918:** Resolution No. _____ (For Possible Action): Resolution approving the Lease to Purchase, at the current appraised value, the City of Reno's interest in certain real property located at 450 Sinclair Street, Reno, Nevada to the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Reno pursuant to NRS 277.050, and providing for other matters properly related thereto. 1:49 PM

Recommendation: Staff recommends Council adopt Resolution No. _____.

Proposed Motion: I move to adopt Resolution No. _____.

Resolution No. 7918 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

G Ordinances, Adoption

G.1 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 6876 Case No. LDC14-00009 (TMWA Clearacre & Scottsdale Zone Change) Ordinance amending Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "zoning," (1) rezoning ±6,000 square feet of a ±26,528 square foot parcel from MF30/MH (Multifamily residential – 30 units per acre/Mobile Home Overlay) to PF (Public Facility); and (2) remove the MH overlay from the entire parcel; together with other matters properly relating thereto. **[Ward 4]** 1:50 PM

Recommendation: Staff recommends Council adoption of Ordinance No. _____.

Proposed Motion: I move to adopt Ordinance No. _____.

Bill No. 6876, Ordinance No. 6310 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

G.2 Staff Report (For Possible Action): Ordinance Adoption - Bill No. 6877 Case No. TXT14-00001 (Stay on Land Use Applications for Medical Marijuana Establishments) Ordinance amending the Reno Municipal Code Title 18, "Annexation and Land Development", Chapter 18.02, "General Provisions," to add Section 18.02.114, entitled "Stay on the Acceptance of Land Use Applications Related to Medical Marijuana Establishments Within the Land Use Jurisdiction of the City of Reno," together with other matters properly relating thereto. [All Wards] 1:50 PM

Recommendation: Staff recommends Council adoption of Ordinance No. ____.

Proposed Motion: I move to adopt Ordinance No. ____.

Council Member Brekhus said that she expressed her objections to the stay during the first reading of the ordinance.

Bill No. 6877, Ordinance No. 6311 was passed and adopted.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Robert Cashell, Sharon Zadra, Dwight Dortch, Neoma Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado, Hillary Schieve

H Resolutions

I Ordinances, Introduction

I.1 Business License Code - First Amendment Artisan Activities

- I.1.1 Staff Report (For Possible Action): Acceptance of Business Impact Statement for the amendment of Reno Municipal Code Title 4, entitled “Business License Code”, by amending Chapter 4.04 to add a new section 4.04.025 entitled “Business License Required for Gross Revenue from Expressive Speech or Conduct in Public Forums”, amendments to Title 5, entitled “Privileged Licenses, Permits and Franchises”, by amending Chapter 5.15, entitled “Sidewalk Vendors, Artists and Performers”, to add definitions in section 5.15.010, clarify permit requirements in section 5.15.030, regulate First Amendment activity on sidewalks in new section 5.15.035 and to reasonably modify time, place and manner restrictions in section 5.15.10. Additionally, amendments to Title 8, entitled “Public Peace, Safety and Morals”, by amending Chapter 8.23, entitled “Parks and Recreation”, by adding new sections 8.23.200 regulating vending in parks and 8.23.210 by adding reasonable time, place and manner restrictions on persons exercising First Amendment rights in parks, and by modifying sections 8.23.015 to create applicable definitions and 8.23.080 to prevent interference with other permitted activities and finding that the adoption of the Ordinances as amended does not impose a direct and significant economic burden upon a business nor directly restrict the formation or expansion of a business. [All Wards] 2:09 PM

Recommendation: Staff recommends acceptance of the Business Impact Statement and enter a finding, in compliance with NRS 237.080 and 090, that the Business Impact Statement was properly prepared and the Ordinances do not impose a direct and significant economic burden upon a business nor directly restrict the formation or expansion of a business.

Proposed Motion: I move to accept the Business Impact Statement and find that the adoption of the Ordinances does not impose a direct and significant economic burden upon a business nor directly restrict the formation or expansion of a business.

10/09/13 City Council CONTINUED Next: 11/20/13

Michael Chaump, Community Development Business Relations Manager, presented a brief overview of the Staff Reports. He said that the City of Sparks ordinance relating to First Amendment rights had been examined by Deputy City Attorney Skau, and a few changes were incorporated into the documents. He also discussed the proposed \$600 gross receipts threshold for requiring a business license, the option of exempting First Amendment speech from the licensing requirement, and a new option of adding free speech areas during special events.

Creig Skau, Deputy City Attorney, discussed the findings that must be made for approving the parks amendment, and the options of imposing or not imposing a gross receipts threshold on the business license requirement.

Ted Levatter, 420 Reno Avenue, presented a Public Comment Form opposing the ordinances, but was not present in Chambers when he was called to speak.

David Tscheekar, 550 East Plumb Lane, suggested several changes to the proposed ordinances.

Sam Dehne, Reno resident, presented his views on this issue.

Steven C. White, Silver Springs resident, presented his views on this issue.

The Council made the findings and accepted the Business Impact Statement.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

I.1.2 Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Ordinance to amend Title 4 of the Reno Municipal Code entitled "Business License Code," by amending Chapter 4.04 thereof, which is untitled, by entitling the Chapter "General Provisions", and by adding a new section 4.04.025 entitled "Business License Required for Gross Receipts from Expressive Speech or Conduct in Public Forums" or "Business license exception for gross receipts from expressive speech or conduct in public forums" clarifying the licensing of businesses deriving gross receipts from activity protected by the First Amendment in parks and on sidewalks, and providing other matters properly relating thereto. [All Wards] 2:10 PM

Recommendation: Staff recommends Council refer Bill No. _____ to the Committee _____ of _____ the _____ Whole.

Proposed Motion: I move to refer option ____ Bill No. _____ to the Committee of the Whole.

10/09/13 City Council CONTINUED Next: 11/20/13

ITEMS I.1.2, I.1.3, I.1.4, I.1.5 AND I.1.6 WERE CONSIDERED TOGETHER.

Council Member Brekhus and Craig Skau, Deputy City Attorney, discussed details of the proposed ordinances.

Council Member Dortch; Michael Chaump, Community Development Business Relations Manager; and Mr. Skau discussed licensing enforcement issues related to the proposed \$600 threshold.

Council Member Dortch said that anyone conducting business should have a business license.

Council Member Brekhus stated her views with respect to First Amendment issues.

Discussion ensued regarding details of the proposed ordinances and First Amendment issues with respect to expressive art.

Council Member Brekhus made a motion that the City not require a business license, not move toward drafting an ordinance now, have staff come back with the understanding that the decision had been made from a policy perspective, and bring back what other ordinances they felt would fall in line with that direction. She agreed that was more or less Option 2 although Option 2 was in a draft format, and staff should work conceptually on it. She then said that she could go with the ordinance as drafted for Option 2, and she would make that her motion. The motion failed for lack of a second.

Council Member Brekhus then made a motion to continue the proposed ordinances, and the motion was seconded by Council Member Jardon.

Mr. Chaump and Council Member Zadra agreed that staff should review the New York and Los Angeles examples, as well as the highlights of the Sparks case.

Mayor Cashell requested that staff work with Mr. White and other interested artists during the revision process.

ITEMS I.1.2, I.1.3, I.1.4, I.1.5 AND I.1.6 WERE CONTINUED TO JANUARY 28, 2014.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

I.1.3 Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged Licenses, Permits And Franchises," by amending Chapter 5.13 Entitled "Special Events," to amend section 5.13.040 entitled "Exceptions To Permit Requirement" to include First amendment activities in designated special event areas as an exception to the general permit requirement, and providing other matters properly relating thereto. [All Wards] 2:41 PM

Recommendation: Staff recommends Council refer to the Committee of the _____ Whole.

Proposed Motion: I move to refer Bill No. _____ to the Committee of the Whole.

THIS ITEM WAS CONTINUED TO JANUARY 28, 2014.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

I.1.4 Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged Licenses, Permits and Franchises," by revoking Chapter 5.14 entitled "First Amendment Artisans and Sidewalk Speakers," in its entirety, and providing other matters properly relating thereto. **[All Wards]** 2:41 PM

Recommendation: Staff recommends Council refer Bill No. _____ to the _____ Committee of the _____ Whole.

Proposed Motion: I move to refer Bill No. _____ to the Committee of the Whole.

10/09/13 City Council CONTINUED Next: 11/20/13

THIS ITEM WAS CONTINUED TO JANUARY 28, 2014.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

I.1.5 Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged licenses, Permits and Franchises," by amending Chapter 5.15 entitled "Sidewalk Vendors," to change the name of the Chapter to "Sidewalk Vendors, Artists and Performers", to add definitions in section 5.15.010, to clarify permit requirements in section 5.15.030, to regulate First Amendment activity on sidewalks in new section 5.15.035, and to modify time, place and manner restrictions in section 5.15.100, and providing other matters properly relating thereto. **[All Wards]** 2:41 PM

Recommendation: Staff recommends Council refer Bill No. _____ to the _____ Committee of the _____ Whole.

Proposed Motion: I move to refer Bill No. _____ to the Committee of the Whole.

10/09/13 City Council CONTINUED Next: 11/20/13

THIS ITEM WAS CONTINUED TO JANUARY 28, 2014.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

I.1.6 Staff Report (For Possible Action): Ordinance Introduction - Bill No. _____ Ordinance to amend Title 8 of the Reno Municipal Code entitled “Public Peace, Safety and Morals”, by amending Chapter 8.23 thereof entitled “Parks and Recreation” by adding new sections 8.23.200 regulating vending in parks, and 8.23.210 adding reasonable time, place and manner restrictions on persons exercising first amendment rights in parks, and by modifying sections 8.23.015 to create applicable definitions, and 8.23.080 to prevent interference with other permitted activities, and providing other matters properly relating thereto. **[All Wards]** 2:41 PM

Recommendation: Staff recommends Council adopt the Staff findings of significant governmental interests referred to in the Staff Report and refer to the Committee of the Whole. Staff recommends Council adopt Ordinance _____ No. _____.

Proposed Motion: I move adopt the Staff findings of significant governmental interests and to refer to the Committee of the Whole. I move to adopt Ordinance No. _____.

10/09/13 City Council CONTINUED Next: 11/20/13

THIS ITEM WAS CONTINUED TO JANUARY 28, 2014.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

J Standard Department Items

Community Development

J.1 Staff Report (For Possible Action): Update, discussion and potential direction to staff regarding annexation policy of requesting pro rata contributions of ad valorem taxes and associated annexation application fees. **[All Wards]** 2:42 PM

Recommendation: Staff recommends that the Council sunset the policy of requesting pro rata contributions for annexations and direct staff to remove application fees for processing annexations.

Proposed Motion: I move to sunset the policy of requesting pro rata contributions for annexations and direct staff to remove application fees for processing annexations.

The Council upheld the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

Parks, Recreation & Community Services

J.2 Staff Report (For Possible Action): Discussion and potential approval of Award of Contract for RFP 030092 for Turf Mowing Services to Signature Landscapes, LLC, beginning June 1, 2014 and ending December 31, 2018, in the amount of \$164,988 per year, for a total of \$824,940 for the term of the contract (General Fund). 3:13 PM

Recommendation: Staff recommends the Council award the contract to Signature Landscapes, LLC, in the annual amount of \$164,988 for a total of \$824,940 for the term of the contract.

Proposed Motion: I move to approve staff recommendation.

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COUNCIL MEMBER BREKHUS ABSENT AT 3:14 P.M.

Jerry Frederick, representing Local #39, discussed their opposition to outsourcing.

Lebo Newman, 3705 Barron Way, co-owner of Signature Landscapes, discussed the benefits of their services.

Council Member Dortch made a motion to uphold the staff recommendation, and the motion was seconded by Council Member Zadra.

COUNCIL MEMBER BREKHUS PRESENT AT 3:18 P.M.

Council Member Brekhus and Jeff Mann, Parks Manager, discussed the October 2013, parks operations staff report, and turf quality issues.

The Council upheld the staff recommendation.

RESULT:	APPROVED [4 TO 1]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Robert Cashell, Sharon Zadra, Dwight Dortch, Neoma Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado, Hillary Schieve

Public Works

J.3 Staff Report (For Possible Action): Update, discussion, direction and potential acceptance of the media plan report for residential recycling and waste disposal, and potential City Council direction or appropriation up to \$6,000 to expand the media plan. 3:21 PM

Recommendation: Staff recommends Council acceptance of the media plan and potential recommendation on the purchase of media time.

Proposed Motion: I move to approve staff recommendation.

Bill Thomas, Assistant City Manager, suggested that the Council allow staff more time to discuss the plan with the Waste Management (WM) media people in order to find a way to cover some of the areas not covered in the original public awareness campaign.

Discussion ensued regarding the timetable for distribution of the new bins, and the low response rate (30%) WM had received from customers with respect to their preferences for new bins.

Mr. Thomas said that staff would return with more information on December 4, 2013.

Council Member Brekhus emphasized that the City's relationship with WM was indeed a long-term one with the need for interpretations that were jointly workable, and modifications to the contract were needed by both parties.

Cadence Matijevich, Assistant City Manager, noted that because of the upcoming holidays the December 4 staff report may have to be submitted to the Council after the full packet was distributed.

The Council continued this item to December 4, 2013.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Neoma Jardon, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

J.4 Update, discussion and potential direction to staff regarding the 2013-2014 Snow and Ice Control Plan. 3:28 PM

MAYOR CASHELL ABSENT AT 3:29 P.M. VICE MAYOR ZADRA PRESIDED IN MAYOR CASHELL'S ABSENCE.

Marnell Heinz, Streets Maintenance and Operations Manager, presented the report.

Council Member Brekhus discussed the importance of keeping City sidewalks clear of ice and snow.

Mr. Heinz noted that City ordinance requires property owners to clear their walkways. He said that the City cleared the downtown sidewalks, and discussed the difficulties of enforcing the ordinance.

The Council accepted the report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Jenny Brekhus, Sharon Zadra, Dwight Dortch, Neoma Jardon
ABSENT:	Robert Cashell, Oscar Delgado, Hillary Schieve

Finance & Administration

J.5 Staff Report (For Possible Action): Discussion, review and approval of the revised Fund Policies for various funds for the City of Reno. 3:34 PM

Recommendation: Staff recommends that Council approve the revised Fund Policies for the various funds, as presented.

Proposed Motion: I move to approve staff recommendation.

Jill Olsen, Assistant Finance Director, presented an overview of the Staff Report.

MAYOR CASHELL PRESENT AT 3:36 P.M.

Council Member Brekhus, Ms. Olsen, and Kate Thomas, Director of the Office of Management and Budget, discussed details of the proposed fund policy revisions.

Council Member Brekhus suggested holding a workshop to discuss operational issues.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

J.6 Staff Report (For Possible Action): Discussion and possible direction to staff regarding proposed rule changes by the Reno Civil Service Commission to the Civil Service Rules.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

J.7 Staff Report (For Possible Action): Discussion, direction and possible approval of Consent to Assignment of the Public Improvement Reimbursement Agreement by and between Reno Retail Company, LLC and the City of Reno dated October 1, 2004, to G&I VII Reno Retail, LLC (Summit Sierra). 1:10 PM - *Distributed After Initial Posting*

Recommendation: Staff recommends approval of the Consent to Assignment Agreement

Proposed Motion: I move to approve staff recommendation.

COUNCIL MEMBER SCHIEVE PRESENT VIA TELEPHONE AT 1:11 P.M.

John Frankovich, attorney representing Reno Retail Company LLC (owners, developers and operators of the Summit Sierra shopping mall), outlined the need for the Consent to Assignment agreement, noting that the name of the subsidiary that would own the facility was G&I VII Reno Operating, LLC. He said that Reno Retail Company would continue to be an equity partner in the new entity, and would manage and operate the facility. He also said that the dates of the assignment would, with Council approval, be filled in as soon as the date of closing was identified, which was anticipated to occur before the end of the year.

Robert Chisel, Finance Director, and Council Member Brekhus discussed details of the proposed agreement, including the possibility of cleaning up the document to include present-tense language, and whether the developers' obligations had been met.

Council Member Zadra and Mayor Cashell agreed that all of the obligations imposed on the developers had been met and even exceeded.

Council Member Brekhus and Mr. Frankovich discussed the Successors and Assigns portion (Section 19) of the agreement.

Council Member Brekhus said that there are subsequent obligations for maintaining the retail mix, which today were not clearly defined, she understood the pay-back on the infrastructure, there were continuing obligations, and she was asking for an upgraded document that takes a snapshot of where we are in this relationship today.

Council Member Dortch stated that the obligations did not change because of the document before the Council today.

Council Member Dortch moved to approve the Consent to Assignment Agreement, and the motion was seconded by Council Member Zadra.

Jonathan Shipman, Deputy City Attorney, noted that the closing date for the restructuring would be left blank at this time, and Council Members Dortch and Zadra included that provision in their motion.

David Silverstein, one of the developers of the Summit Sierra project, stated that the current retail mix satisfied the conditions and obligations of the agreement that was adopted several years ago. He also confirmed that they were in compliance with each and every obligation of that agreement today.

Sam Dehne, Reno resident, presented his views on this issue.

Eddie Lorton, 100 North Arlington Avenue #16D, requested a business analysis to ensure that the new entity was as sound as the previous entity, and compared this to the City's agreement with CURB System.

Council Member Brekhus said that she would not support the motion because she did not believe the City had fully implemented due diligence in the reassignment under Section 19 Successors and Assigns to understand if the successor was of equal qualifications to uphold the responsibilities and obligations of the agreement.

COUNCIL MEMBER SCHIEVE WAS NOT PRESENT FOR THE VOTE AT 1:32 P.M.

RESULT:	APPROVED [4 TO 1]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Robert Cashell, Sharon Zadra, Dwight Dortch, Neoma Jardon
NAYS:	Jenny Brekhus
ABSENT:	Oscar Delgado, Hillary Schieve

J.8 Staff Report (For Possible Action): Discussion and direction to staff regarding the possible financial restructuring of: (I) the Bond Ordinance for the Sales Tax Increment Subordinate Lien Bond Series 2006; and (ii)

the Public Improvement Reimbursement Agreement between the City and Reno Retail Company, LLC (Summit Sierra). 1:32 PM - *Distributed After Initial Posting*

Recommendation: Staff is seeking Council direction on what options to proceed with, if any in financial restructuring the agreement.

John Frankovich, attorney representing Reno Retail Company LLC, requested that this item be continued while they worked with City staff to finalize the terms of the agreement.

THIS ITEM WAS CONTINUED INDEFINITELY.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

K City Clerk

K.1 **Resolution No. 7919:** Staff Report (For Possible Action): Resolution No. _____ Resolution of the City Council of the City of Reno amending City Council Resolution No. 5242 modifying the process for appointments to the Reno City Planning Commission, and authorizing and directing the City Manager or his or her designee, to do any and all things and to carry out, give effect to, and comply with the terms and intent of this Resolution, including without limitation, preparing and processing any necessary amendments to the Reno Municipal Code and Title 18. (For Possible Action) 3:49 PM

Recommendation: Staff recommends Council adopt Resolution No. _____.

Proposed Motion: I move to adopt Resolution No. _____.

Resolution No. 7919 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

K.2 Boards and Commissions Appointments

Eddie Lorton, 100 North Arlington Avenue #16D, presented his views on Boards and Commissions appointments.

- a. Downtown Maintenance District Advisory Committee (For Possible Action)

Joe Bickett, Jeff Siri, Geoff Wenzl and Dewey Chapman were appointed to the Downtown Maintenance District Advisory Committee.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

b. Recreation and Parks Commission (For Possible Action)

Troy Harsh and Erik Scalise were appointed to the Recreation and Parks Commission.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Brekhus, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

c. Planning Commission Appointment (For Possible Action)

Kathleen Taylor was appointed to the Reno City Planning Commission.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

L Mayor and Council

L.1 Identification of Mayor and Council Items for future agendas of the Reno City Council. 3:51 PM

Council Member Zadra requested an action plan with respect to the prohibition of brothel advertising in the City of Reno.

L.2 Liaison Reports

NO ACTION WAS TAKEN ON THIS ITEM.

L.3 Reports from any conferences or professional meetings. 3:54 PM

Mayor Cashell discussed his attendance at the Los Angeles urban design conference sponsored by the National Arts Council.

Council Member Zadra discussed her attendance at the New American City economic development conference at Drexel University.

NO ACTION WAS TAKEN ON THIS ITEM.

- L.4 Staff Report (For Possible Action): Election of Vice Mayor for Reno City Council. 3:56 PM

Recommendation: Staff recommends per Charter provision, the Council elect a Vice Mayor for a one year period.

Proposed Motion: I move to approve staff recommendation.

Council Member Dwight Dortch was elected to serve as Vice Mayor.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Neoma Jardon, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- L.5 Staff Report (For Possible Action): Approval of a reallocation from Council Donation Funds to the City of Reno's Community Development Department Business License Division to offset permit fees associated with the Pathfinders Children's Ministry Holiday Outreach Thanksgiving Dinner in the amount of \$304 (General Fund). [Cashell] 3:56 PM

Recommendation: Staff recommends Council approve the reallocation.

Proposed Motion: I move to approve the staff recommendation.

The Council approved the reallocation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Cashell, Dwight Dortch
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

- L.6 **Resolution No. 7920:** Staff Report (For Possible Action): Resolution No. _____ Resolution Donating Council Donation Funds to the Blues Lovers United Enrichment Society of Reno for promotion of the City of Reno at the 2014 International Blues Challenge in Memphis, Tennessee in the amount of \$1,000 from Mayor Cashell and in the amount of \$250 from Councilmember Jardon, for a total amount of \$1,250 (General Fund). [Cashell, Jardon] 3:57 PM

Recommendation: Staff recommends Council adopt Resolution No. _____ and approve the request to allocate a Council Donation to the Blues Lovers United Enrichment Society of Reno in the amount of \$1,250.

Proposed Motion: I move to adopt Resolution No. _____.

Resolution No. 7920 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Neoma Jardon, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

L.7 **Resolution No. 7921:** Staff Report (For Possible Action): Resolution No. _____ Resolution donating Council Donation funds to the Holland Project to support their all ages music and art venue for youth and young adults in the amount of \$500 (General Fund). **[Delgado]** 3:57 PM

Recommendation: Staff recommends Council adopt Resolution No. _____ and approve the request to allocate a Council Donation to the Holland Project in the _____ amount _____ of _____ \$500.

Proposed Motion: I move to adopt Resolution No. _____.

Resolution No. 7921 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

L.8 Discussion and potential direction to staff to dissolve a Council-authorized ad-hoc task force or committee to examine homeless issues created by Council motion on item L.9 at the September 25, 2013 Reno City Council meeting; and request to City Manager to use his authority to establish a committee on homeless issues which reports to the City Manager. **[Jardon]** 3:58 PM

The Council approved the dissolution of a Council-authorized ad-hoc task force or committee to examine homeless issues and requested that the City Manager use his authority to establish a committee on homeless issues that would report to the City Manager.

Council Member Brekhus questioned whether the public could participate in the process.

Tracy Chase, Chief Deputy City Attorney, stated that the committee would be under the purview of the City Manager, and the Council would not have the authority as to how he established it.

RESULT:	APPROVAL [UNANIMOUS]
MOVER:	Neoma Jardon, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

L.9 Discussion and possible identification of funding source(s) to purchase red LED bulbs to be installed on the Reno Arch in the month of February to promote awareness about heart disease in women. **[Cashell]** 3:59 PM

The Council requested that staff bring back a resolution at the December 4, 2013, meeting stipulating the amounts each Council Member would be willing to donate toward the purchase of red Light Emitting Diode (LED) bulbs for the Arch.

RESULT:	APPROVAL [UNANIMOUS]
MOVER:	Robert Cashell, Mayor
SECONDER:	Neoma Jardon, Council Member
AYES:	Cashell, Brekhus, Zadra, Dortch, Jardon
ABSENT:	Oscar Delgado, Hillary Schieve

M Public Hearings - 6:00 PM - None.

N Public Comment

Mark Markel, 48 Park Street, discussed the dangers of drinking and driving.

O Adjournment (For Possible Action)

THE MEETING WAS ADJOURNED AT 4:06 P.M.